IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.309 OF 1995
AND
CIVIL REVISION APPLICATION NO.310 OF 1995

Smt. Pushpawati K. Mehta & Anr. ... Applicants

Vs.

Mr. Saroj B. Vorha & Ors. ... Respondents

Mr. A.H. Palekar i/b M/s. S. Ashwinikumar & Co. for the applicants.

Mr. N. Parekh with Mr. J.B. Patel for respondents 1 and 2.

Mrs. Anita Purbey for respondents 4 and 5.

CORAM: SMT. RANJANA DESAI, J.

DATED: 18TH JANUARY, 2005.

P.C.:-

1. In both these civil revision applications, the challenge is to the order whereby the applicants' chamber summons for impleading themselves as the plaintiffs in both the suits, out of which the present civil revision applications arise, was rejected.

2. In view of the decisions of this court in **Zahida Nizamuddin Jalal & others v. Abidali Jafferali Syyed & Ors., 2003 (2) Bom. C.R. 374 and in Rajabhau Mahadeorao Rahate v. Dinkar Shantaram Ingole, 2003 (1) Bom. C.R. 40,** present civil revision applications are not maintainable. In view of this, the learned counsel for

the applicants seeks to withdraw the civil revision applications with liberty to take appropriate proceedings.

3. The liberty is granted as prayed. Needless to say that the applicants will be entitled to file appropriate proceedings as contemplated in law. I am informed that the suits are adjourned to 24/3/2005. The learned counsel for the applicants states that necessary proceedings will be filed by him within a period of two weeks from today.

(SMT. RANJANA DESAI, J.)